

# Rural Water Policy Advisory [6/4/2018]

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**NRWA's Effort to Turn "Mandatory Consolidation" into Something Acceptable:** Key members of the House of Representatives' Safe Drinking Water Act (SDWA) committee are actively preparing [H.R. 3387](#), the Drinking Water System Improvement Act of 2017 (amendments to the SDWA), in anticipation of full House of Representatives consideration in the near future. The bill passed committee in November of 2017. In May of 2017, NRWA President Steve Fletcher testified in favor of the legislation ([YouTube](#)). Subsequently, the mandatory consolidation provision was added to the bill to ensure bipartisan support and allow for committee passage of the legislation. In an effort to remove or revise the new provision, NRWA (and specifically New York, Mississippi, and Illinois Rural Water Associations) urged the key committee Members (Shimkus of IL, Tonko of NY and Harper of MS) to not include the provisions in the bill presented to the House of Representatives. Currently, the NRWA Regulatory Committee is reviewing a potential compromise on the issue that would allow a provision to remain in the legislation if it made the following changes:

For water systems with repeat violations:

- remove any new regulatory authority for mandating consolidation,
- remove the preference for consolidation to be a compliance solution versus other locally preferred compliance option,
- allow for the local community to select their preferred compliance options, and
- provide that the new authority provided to the state regulator includes the discretion only to require a consolidation assessment conducted by the water system or state rural water association to determine if consolidation is feasible if there is not an option of alternative compliance (including a variance or exemption) and after mandate that states must find that the "repeat" violation presents a risk to public health and provide options for access to a variance or exemption.

Please review this [conceptual draft](#) of a modified provision forward any thoughts or opinions on this issue to [us](#).

**Private Water Industry's Lobbying Tactics:** There is also an effort in the Senate to pass new legislation to increase consolidation in the water utility world [led by private water industry interests](#). NRWA has been asked by numerous Senators about this request and we have responded ([NRWA 5/7/18](#)). Last week, a state rural water association was contacted by a lobbyist representing private water and told that their senator was working on the private water supported legislation and asked if their state association would support the legislation. We have asked proponents of this legislation if there are there any cases when a community's violations' profile was an impediment to a solution.

**Senate Continues Massive Increases for USDA's Rural Water Infrastructure Funding:** In 2017, Congress provided the largest ever annual appropriation to the U.S. Department of Agriculture's (USDA) rural drinking water and sewer infrastructure program of \$1,060,000 (federal fiscal year 2018). In comparison, the previous year's level was \$571,190,000 (federal fiscal year 2017). On May 24, 2018, the Senate Appropriations Committee approved their version of the USDA budget bill including \$958,183,000 for the program ([Senate Committee](#)).

**Activists' Schism of 2018 - Flint "Activists" Turn on Each Other, Call Flint Water [Hero Dr. Marc Edwards](#) an Oppressor:**

A vanguard of the citizens of Flint, called [Flintcomplaints.com](#), asserts:

- "Edwards is obstructing Flint's right for self-determination,"

- *“Using his power over powerless residents,”*
- *“Edwards makes Flint’s Water Crisis about himself and not the people,”*

On [Saturday, Dr. Edwards responds](#), asserting:

- *“Feeding the growing controversy, is a clash of cultures and philosophy...”*
- *“Citizen engineering practiced by Dr. Yanna Lambrinidou is the disruption of engineering expertise to uphold social justice...”*
- *“Efforts by Flintwaterstudy to call out possible misuse of science by non-experts is destined to create... hard feelings.”*
- *“This is particularly painful because as recently as 2012, Dr. Lambrinidou was as equally outspoken an advocate of Dr. Edwards’... ethics and moral leadership...”*

**Citizens Versus Doctors on Whether Children in Flint were “Poisoned” or “Exposed”:** The Hurley Medical Center’s 10-year study of Flint children’s blood lead levels in the June 2018 says what happened in 2014-2015 did not constitute an environmental emergency and that using the term “lead-poisoned” could cast a whole generation of Flint children as stigmatized. Doctors supporting the study say “not a single child in the City of Flint has been lead-poisoned from the water switch ([East Village Magazine](#)).”

**Truthdig Feature on Flint Targets Dr. Edwards’ Testing ([magazine](#)):**

- *“Horribly large” increase in fetal deaths and miscarriages in Flint—stating that between “198 and 276 more children would have been born had Flint not enacted the switch in water.”*
- *“Today, we have equally definitive data showing that levels of these parameters currently in Flint water are now back to normal levels for a city with old lead pipes,” said Marc Edwards, 9/15/17.*
- *County clerk condemned Edwards’ scientific declaration and study: “I think it’s haphazard, and in the situation we’re dealing with, irresponsible and neglectful.” It seems the EPA agrees.*
- *“Legendary environmental advocate Erin Brockovich expressed a strong lack of trust in Edwards’ declaration that Flint’s water is back to normal. Edwards’ testing, which has been reported fairly uncritically by a majority of media outlets, is irresponsible, she said. Brockovich said, “The Lead and Copper Rule is designed to cheat and even when applied appropriately is nothing but a false sense of security.”*
- *Dr. Yanna Lambrinidou, a Virginia Tech social scientist says: “The Lead and Copper Rule is a regulation that allows for chronic and acute health harm from lead in water, even when all the requirements it sets are met.”*

**Louisiana Governor’s New Program to Identify the 10 Most Distressed Drinking Water Systems ([The Advocate](#)).**

**Sacramento Bee Drinking Water Expose and Video:** An estimated 360,000 Californians are served by water systems with unsafe drinking water. At least 6 million Californians are served by water providers that have been in violation of state standards at some point since 2012. As of May, 2018, 269 of these suppliers were out of compliance with state drinking water standards. Farmworkers and other rural residents generally live in isolated, unincorporated communities served by water districts that lack the resources and expertise to address contamination, and underfunded water providers are partly a legacy of the Valley’s historical development which segregated Latino workers in farm-labor camps or isolated communities usually cut off from city services ([news and video](#)). Small agencies account for 80 percent of the citations the state water board issues every year. Many are operated by a single employee or volunteers, yet they are required to perform the same duties as a well-funded municipal water district with dozens of staff members serving tens of thousands of people.

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[National Rural Water Association](#)

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**The National Rural Water Association** is the country's largest public drinking water and sanitation supply organization with over 30,000 members. Safe drinking water and sanitation are generally recognized as the most essential public health, public welfare, and civic necessities.

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